



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/506,466	09/01/2004	Yoshimi Nishii	MAT-8598US	8942
23122	7590	11/13/2008		
RATNERPRESTIA				
P.O. BOX 980				
VALLEY FORGE, PA 19482				
EXAMINER				
ABDUL-ALL, OMAR R				
ART UNIT		PAPER NUMBER		
2178				
MAIL DATE		DELIVERY MODE		
11/13/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/506,466

Applicant(s)

NISHII ET AL.

Examiner

OMAR ABDUL-ALI

Art Unit

2178

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 August 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2, 4-10, 12-17, 19-23 and 25-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date 8/08
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Inventor's Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

The following action is in response to the response filed August 14, 2008. Amended Claims 1, 2, 4-10, 12-17, 19-23, and 25-29 are pending and have been considered below.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1, 2, 4-10, 12-17, 19-23, and 25-29 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Independent Claims 1, 10, and 17 include the phrase "responsive to unconscious selection by a user". The term "unconscious" renders the claim indefinite. The term unconscious does not appear in the specification, and the applicant is invited to further clarify the claim language to define what is meant by "unconscious selection".

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1, 2, 4-10, 12-17, 19-23, and 25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gottfurcht et al. (US 7,020,845) in view of Schirris (US 2002/0193986).

Claims 1, 10, and 17: Gottfurcht discloses a method and system of outputting data, comprising:

a. a selection instruction reception step for receiving a button selection instruction for selecting one selected button out of a plurality of buttons that are displayed on an input screen, each of the buttons responsive to unconscious selection by a user, performs a function of providing identical data, the identical data having a different expression for each of the buttons (column 8, lines 4-42). Gottfurcht discloses computer system, which includes a processor coupled to various memory units. It is typical for memory units to be partitioned to store various types of information, which includes selection information, plural pairs of data, etc. It is inherent that there would be a section for receiving transmission instruction commands and data obtaining sections for obtaining the data from the data memory. The interface supports interaction and selection with mice or other pointer devices as a variation of using a keypad. Figure 2b discloses two buttons, My AOL and AOL Home, which both link to an AOL site with different attributes. My AOL is a personalized AOL Homepage, while AOL Home is the basic homepage. Each of the links initiate a transfer to pages that provide different functionality to the user.

Gottfurcht does not explicitly disclose a personal inclination determination step for determining a personal inclination of the user based on the selected button selected in the selection instruction reception step and selection instruction information regarding the selection instruction of the buttons recorded in a storage device. Schirris discloses a similar system for outputting data that further discloses translating hyperlinks and words (Figure 9) by selecting graphical user interface radio buttons. It would have been obvious to one having ordinary skill in the art at the time the invention was made to translate the components of the interface of Gottfurcht in order to obtain a personal inclination of the user based on the selected button. One would have been motivated to determine a personal inclination in order to provide a customized user interface. After translating the data to another language, the data output based on the personal inclination of the user would be changed and displayed in the desired language.

Claim 2: Gottfurcht and Schirris disclose a method and system as in Claim 1 above, and Gottfurcht further discloses:

a. the data outputting step outputs data that is a homepage on an Internet (column 2, lines 20-24).

Claims 4 and 25: Gottfurcht and Schirris disclose a method and system as in Claims 1 and 2 above, and Gottfurcht further discloses:

a. the data outputting step changes data to be output by changing a place of outputting data based on the selection instruction information recorded in the storage device (column 8, lines 44-62).

Claims 5 and 26: Gottfurcht and Schirris disclose a method and system as in Claims 1 and 2 above, and Gottfurcht further discloses:

a. the data outputting step changes data to be output by providing the data with a given process based on the selection instruction information recorded in the storage device (column 8, lines 44-62).

Claims 6, 13, and 20: Gottfurcht and Schirris disclose a method and system as in Claims 5, 10, and 17 above, and Schirris further discloses the plurality of functions includes translation of a language (Figure 9). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to change the data by performing a language conversion. One would have been motivated to change the data by performing a language conversion in order to allow users of multiple language backgrounds to use the invention.

Claims 7, 8, 14, 15, 21, and 22: Gottfurcht and Schirris disclose a method and system as in Claims 5, 10, and 17 above, but neither reference explicitly discloses the plurality of functions includes is conversion of a kanji letter or a hiragana letter. However, Schirris discloses support for Chinese and Japanese languages. Therefore it would

have been obvious to one having ordinary skill in the art at the time the invention was made to change the data by performing a language conversion. One would have been motivated to change the data by performing a language conversion in order to allow users of multiple language backgrounds to use the invention.

Claims 9, 16, 23, and 27: Gottfurcht and Schirris disclose a method and system as in Claims 1, 10, 17, and 2 above, and Gottfurcht further discloses:

a. the data outputting step changes a display by selecting and outputting one display data out of a plurality of display data, which can form the display, based on the selection instruction information recorded in the storage device (column 8, lines 44-62).

Claims 12 and 19: Gottfurcht and Schirris disclose a method and system as in Claims 10 and 17 above, and Gottfurcht further discloses:

a. the plurality of functions includes rearrangement of data (column 8, lines 44-62).

4. Claims 28 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gottfurcht et al. (US 7,020,845) in view of Schirris (US 2002/0193986) and further in view of Maddalozzo et al. (US 6,633,316).

Claim 28: Gottfurcht and Schirris disclose a method and system as in Claim 1 above, however none of the references explicitly disclose the step of recording the selection

instruction information includes establishing an attribute value table for each respective button of the plurality of buttons that correlates at least one of video or audio information and/or textual information of the identical data to the respective button for display.

Maddalozzo discloses a similar method that further discloses recording link selection information in a table that correlates an identifier (textual information) and address information in the table (column 11, lines 13-37). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to establish an attribute value table for each respective button of the plurality of buttons that correlates video, audio/and or textual information of the identical data to the respective button for display. One would have been motivated to include this limitation in order to increase data retrieval efficiency.

Claim 29: Gottfurcht, Schirris and Maddalozzo disclose a method and system as in Claim 28 above, and Maddalozzo further discloses the changes to the changed data includes correlating in a respective attribute table less than all of the video, audio and/or textual information associated with the identical data for display (column 11, lines 13-37). One would have been motivated to include this limitation in Gottfurcht in order to increase data retrieval efficiency.

Response to Arguments

8. Applicant's arguments with respect to claims 1, 2, 4-10, 12-17, 19-23, and 25-29 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to OMAR ABDUL-ALI whose telephone number is (571)270-1694. The examiner can normally be reached on Mon-Fri(Alternate Fridays Off) 8:30 - 6:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

OAA
11/09/2008

/Stephen S. Hong/
Supervisory Patent Examiner, Art
Unit 2178